

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**THE BANK OF NEW YORK MELLON
f/k/a THE BANK OF NEW YORK as
Trustee for the Certificate Holders of
the CWABS, Inc. Asset-Backed
Certificates, Series 2004-14,**

Plaintiff,

v.

No. 3:12-cv-679-DRH-DGW

**RONALD SMITH a/k/a RONALD E.
SMITH, HOLISHOR ASSOCIATION,
INC., COUNTRYWIDE HOME LOANS,
INC. f/k/a AMERICA'S WHOLESALE
LENDER, CITIBANK, N.A. f/k/a
CITIBANK (SOUTH DAKOTA), N.A.,
UNITED STATES OF AMERICA,
STATE OF ILLINOIS, UNKNOWN
OWNERS-TENANTS, and NON-
RECORD CLAIMANTS**

Defendants.

ORDER

HERNDON, Chief Judge:

In its order dated September 25, 2013, the Court ordered the parties to notify the Court of their progress regarding Brenda Swinton's deposition (Doc. 46). On November 22, 2013, plaintiff The Bank of New York Mellon ("BNY Mellon") notified the Court that the deposition of Ms. Swinton has not yet taken place and that, after communication with the United States of America ("USA"), no deposition is currently scheduled (Doc. 49).

The intent of the Court's prior order was to allow the USA time to depose Ms. Swinton. Therefore, the Court **ORDERS** the USA to depose Ms. Swinton, and provide the Court with notice thereof, on or by **January 31, 2014**. Failure to comply with this order may result in judgment entered in favor of plaintiff BNY Mellon.

IT IS SO ORDERED.

Signed this 2nd day of December, 2013.

 Digitally signed
by David R.
Herndon
Date: 2013.12.02
09:32:51 -06'00'



**Chief Judge
United States District Court**